

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:**

**VIDEOMINING CORPORATION,**

**Bankruptcy No. 20-20425-GLT**

**Debtor.**

**Chapter 11**

**VIDEOMINING CORPORATION,**

**Document No.**

**Movant,**

**vs.**

**ENTERPRISE BANK, WHITE OAK  
BUSINESS CAPITAL, INC., ON DECK  
CAPITAL, ITRIA VENTURES, LLC,  
BROADWAY ADVANCE FUNDING,  
GREEN NOTE CAPITAL PARTNERS, INC.,  
AND THE HERSHEY COMPANY.**

**Respondents.**

**EMERGENCY MOTION TO RELEASE RECEIVABLES AND PROHIBIT  
INTERFERENCE WITH THE DEBTOR'S CUSTOMERS**

**AND NOW** comes VideoMining Corporation, by and through its Counsel, Robert O Lampl, John P. Lacher, David L. Fuchs, Ryan J. Cooney and Sy O. Lampl and files this **EMERGENCY MOTION TO RELEASE RECEIVABLES AND PROHIBIT INTERFERENCE WITH THE DEBTOR'S CUSTOMERS:**

1. The Movant is VideoMining Corporation ("VideoMining" or "Debtor").
2. This Case was commenced on February 4, 2020.
3. The Debtor collects video data from grocery and convenient stores regarding shoppers' in store behavior, analyzes said data, and then packages and sells the same to product retailers.

4. White Oak Business Capital, Inc. ("White Oak") is a secured creditor in this Estate and holds a first lien security interest in the Debtor's accounts receivable. White Oak holds a second lien security interest in all of the Debtor's other assets. White Oak has a claim in the approximate amount of \$1,365,000. Affiliates of the Debtor are also obligated on the indebtedness to White Oak.

5. Enterprise Bank ("Enterprise") is also a secured creditor in this Estate and holds a first position security interest in all assets of the Debtor with the exception of the Debtor's accounts receivable. Enterprise has subordinated its interest in the Debtor's accounts receivable to White Oak. Thus, with respect to the Debtor's pre-petition accounts receivable, White Oak is in the first position and Enterprise is in the second petition. Enterprise has a claim in the approximate amount of \$607,000. Affiliates of the Debtor are also obligated on the indebtedness to Enterprise.

6. On Deck Capital, Itria Ventures, LLC, Broadway Advance Funding and Green Note Capital Partners, Inc. all purport to hold junior blanket liens on the Debtor's assets.

7. The Hershey Company is a customer of the Debtor who has an outstanding invoice with the Debtor.

8. The Hershey Company has been contacted by Green Note Capital Partners, Inc. and Itria Ventures, LLC and told to withhold all payments to the Debtor based upon claims that they are owed money by the Debtor.

9. As a result of these contacts, the Hershey Company has not remitted payment on the outstanding invoice and will not do so until this matter is resolved.

10. The actions by Green Note Capital Partners, Inc. and Itria Ventures, LLC have resulted in significant financial distress to the Debtor and have impaired the rights of White Oak and Enterprise who have a superior interest in the receivable due from the Hershey Company.

**WHEREFORE**, the Movant respectfully requests that this Honorable Court enter an order that (1) directs Green Note Capital Partners, Inc. and Itria Ventures, LLC to cease all interference with customers of the Debtor and (2) that authorizes the Hershey Company to release all funds owed to the Debtor directly to the Debtor.

Respectfully Submitted,

Date: February 5, 2020

/s/ Robert O Lampl  
ROBERT O LAMPL  
PA I.D. #19809  
JOHN P. LACHER  
PA I.D. #62297  
DAVID L. FUCHS  
PA I.D. #205694  
RYAN J. COONEY  
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GREEN NOTE CAPITAL PARTNERS, INC.,  
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**Respondents.**

**CERTIFICATE OF SERVICE**

I, Robert O Lampl, hereby certify, that on the 5<sup>th</sup> day of February, 2020, a true and correct copy of the foregoing **EMERGENCY MOTION TO RELEASE RECEIVABLES AND PROHIBIT INTERFERENCE WITH THE DEBTOR'S CUSTOMERS** was served upon the following (*via electronic service, hand delivery and/or First-Class U.S. Mail*):

Office of the U.S. Trustee  
970 Liberty Center  
1001 Liberty Avenue  
Pittsburgh, PA 15222  
[Norma.hildenbrand@usdoj.gov](mailto:Norma.hildenbrand@usdoj.gov)

Enterprise Bank  
c/o William E. Kelleher  
Cohen & Grigsby, P.C.  
625 Liberty Avenue  
Pittsburgh, PA 15222  
[wkelleher@cohenlaw.com](mailto:wkelleher@cohenlaw.com)

White Oak Business Capital, Inc.  
c/o George Snyder  
125 First Ave.  
Pittsburgh, PA 15222  
[gsnyder@stonecipherlaw.com](mailto:gsnyder@stonecipherlaw.com)

On Deck Capital  
c/o Federated Law Group, PLLC  
887 Donald Ross Rd.  
Juno Beach, FL 33408

Itria Ventures, LLC  
One Penn Plaza, Suite 4530  
New York, NY 10119

Broadway Advance Funding  
39 Broadway, Suite 930  
New York, NY 1006

Green Note Capital Partners, Inc.  
c/o Berkovitch and Bouskila, P.C.  
80 Broad Street, Suite 3303  
New York, NY 1004

The Hershey Company  
c/o Cheryl Zak Lardieri  
Perkins Coie LLP  
700 Thirteenth Street, N.W. Suite 600  
Washington, DC 20005-3960

Date: February 5, 2020

/s/ Robert O Lampl  
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DAVID L. FUCHS  
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